

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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:
J & J SPORTS PRODUCTIONS, INC., :
:
Plaintiff, : **MEMORANDUM AND ORDER**
:
– against – : 19-CV-5113 (AMD) (VMS)
:
TRUNG DANG and EL TEQUILERO BAR & :
RESTAURANT II, INC., :
:
Defendants. :

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ANN M. DONNELLY, United States District Judge:

The plaintiff filed this action on September 9, 2019 against the defendants pursuant to the Communications Act of 1934, 47 U.S.C. §§ 553, 605. (ECF No. 1.) El Tequilero Bar & Restaurant II, Inc. (the “corporate defendant”) was served on September 17, 2019. (ECF No. 5.)¹ The corporate defendant did not appear or answer the complaint, and the Clerk of Court filed an entry of default on March 25, 2021. (ECF No. 23.)

On April 14, 2021, the plaintiff filed a motion for default judgment against the corporate defendant. (ECF No. 25.) I referred the motion to Magistrate Judge Vera M. Scanlon on the same day.

On October 28, 2021, Judge Scanlon issued a thorough Report and Recommendation, in which she recommends that I deny the motion for default judgment, dismiss the complaint without prejudice, and grant the plaintiff 30 days to file an amended complaint. (ECF No. 26 at 10.) No objections to the Report and Recommendation have been filed, and the time for doing so has passed.

¹ On March 16, 2021, the plaintiff voluntarily dismissed its claims against Trung Dang. (ECF No. 22.)

A district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). To accept those portions of the report and recommendation to which no timely objection has been made, “a district court need only satisfy itself that there is no clear error on the face of the record.” *Jarvis v. N. Am. Globex Fund L.P.*, 823 F. Supp. 2d 161, 163 (E.D.N.Y. 2011) (quoting *Wilds v. United Parcel Serv.*, 262 F. Supp. 2d 163, 169 (S.D.N.Y. 2003)) (internal quotation marks omitted).

I have reviewed Judge Scanlon’s well-reasoned and comprehensive Report and Recommendation and find no error. Accordingly, I adopt the Report and Recommendation in its entirety.

SO ORDERED.

s/Ann M. Donnelly
ANN M. DONNELLY
United States District Judge

Dated: Brooklyn, New York
November 15, 2021